The Truſtees REPORT *of the Arch-Biſhop of* Dublin's *CASE.*

1. THAT *Bartholomew Ruſſel* the Grandfather died in the Year 164[illegible], leaving Iſſue *Chriſtopher*; and before and at the time of his Death held the Lands of *Seatown* in Fee-Farm from the See of *Dublin*, under the Reſervation of a yearly Chiefry.

2. That by the Acts of Settlement and Explanation, the Commiſſioners for putting in execution the ſaid Acts were to allot, ſet out, and confirm to the then Archbiſhop of *Dublin* and his Succeſſors for ever, ſuch a Proportion of the Lands as were held in Chiefry from the ſaid See, and forfeited by the Rebellion in 1641, as ſhould make the clear yearly Revenue of the ſaid See 2000 *l. per Ann.* over and above the Manſion Houſe of St. *Sepulchres*, and the Lands of *Talaght*, and Menſal Lands thereunto belonging.

3. That the ſaid Lands of *Seatown* being forfeited by the Attainder of *Chriſtopher Ruſſel* eldeſt Son of the ſaid *Bartholomew*, were amongſt others, by Order of the then Lords Juſtices, granted *in Cuſtodiam* to the then Archbiſhop of *Dublin*, till the Commiſſioners appointed to execute the ſaid Acts ſhould ſet out the ſame, in Augmentation of the ſaid See.

4. That the ſaid *Chriſtopher Ruſſel* for himſelf and his Son *Bartholomew*, in the Year 1662, exhibited his Claim, ſetting forth a Deed of Settlement made by his Father *Bartholomew* upon his Intermarriage with *Cicely Meara*, whereby he was Tenant for Life of his Eſtate, with a Remainder to his Son *Bartholomew*; and that they were both innocent Papiſts.

5. That upon hearing the ſaid Claim, the ſaid *Chriſtopher* was adjudged Nocent, and the ſaid *Bartholomew* his Son (being then but 15 Years of Age) was adjudged Innocent, and after his Father's Death decreed to ſuch Eſtate as he had by the ſaid Deed; for which Reaſon the ſaid Lands of *Seatown* were not paſſed in Patent to the then Archbiſhop, till the Validity of the ſaid Deed ſhould be tried.

6. That the ſaid Lands were quietly enjoyed by the ſeveral Archbiſhops of *Dublin* by *Cuſtodiam*, from the Year 1662 till the Year 1682.

7. That in the Year 1682, *Bartholomew* the Grandſon exhibited his Plea in the Court of Exchequer in *Ireland*, ſetting forth the ſaid Deed of Settlement made by his Grandfather; that his Father *Chriſtopher* was decreed Nocent, and died in the ſaid Year; and that by his Decree of Innocence, and the Remainder to him limited in the ſaid Deed, he was intituled to the ſaid Lands ſince his Father's Death, and prayed the *Cuſtodiam* might be diſſolv'd, and he put into Poſſeſſion.

8. That the Attorney General confeſſed the Plea, but alledging that *Chriſtopher* his Father was attainted of High Treaſon long before his Death, and that the ſaid *Bartholomew* being born after the Attainder of the ſaid *Chriſtopher*, could not inherit, notwithſtanding in the Year 1686 the Court gave Judgment for the ſaid *Bartholomew*, and he was put in poſſeſſion of the Premiſes with a *Salvo Jure* to the King, and was ſo ſeized on the 13*th* of *Feb.* 1688, and ſtands Outlawed for the late Rebellion in *Ireland.*

9. That by this means the See of *Dublin* remaining deficient 285 *l. per Ann.* out of the Sum intended by the ſaid Acts of Settlement and Explanation; and the ſaid Lands being ſeized into the King's Hands on account of the late Rebellion, his Majeſty was pleaſed towards the compleating the Augmentation, and in purſuance of the ſaid Acts of Settlement and Explanation, to grant to *Narciſſus* Lord Archbiſhop of *Dublin*, and his Succeſſors Archbiſhops of *Dublin*, the ſaid Lands, worth 228 *l. per Ann.* by Letters Patents dated in *Sept.* 1694.

The

The Matter of Fact being thus reported by the Truſtees:

Quer. Whether *Bartholomew* the Grandſon, being born after the Attainder of *Chriſtopher* his Father, could inherit the Premiſes, there being nothing to ſupport the contingent Remainder: if not, then the ſaid *Bartholomew* had nothing but a bare poſſeſſion the 13*th* of *Feb.* 1688.

The King being appointed by the ſaid Acts of Settlement and Explanation, Royal Truſtee, and the Forfeitures being veſted in his Majeſty to the Uſes of the ſaid Acts, from 23° *Octob.* 1641:

Quer. Whether the Subject had not at all times a Right to ſupplicate his Majeſty, to put the ſaid Acts in Execution. And *Narciſſus* Lord Archbiſhop of *Dublin* having, upon his humble Application, obtained Letters Patents for the ſaid Lands to him, and his Succeſſors for ever, purſuant to the ſaid Acts, as it is by the ſaid Truſtees reported:

Quer. Whether thoſe Letters Patents be made void by the late Act of Parliament, for diſpoſing of the *Iriſh* Forfeitures, *&c.*

The Premiſes are humbly ſubmitted to the Honourable the Houſe of Commons.

The TRUSTEES
REPORT
OF THE
Arch-biſhop of *Dublin's* CASE.